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# ADMIRAL TELLS CENSORSHIP OF NAVY JOURNAL

## Article on U-2 Flight

### OK'd, Killed

BY WILLARD EDWARDS

(Chicago Tribune Press Service)

Washington, Feb. 15—Senate investigators disclosed today that Arthur Sylvester, assistant defense secretary, suppressed military journal publication of an article about the U-2 plane incident after it had been approved by the state department.

This was a new development in an investigation by the Senate armed services subcommittee into censorship of military leaders. Witnesses thus far have blamed state department censors for most of the deletions of anti-communist expression discovered during the inquiry.

"It was very strange," Rear Adm. William C. Mott, judge advocate general of the navy, commented under subcommittee questioning. "I tried to find out why the defense department killed the article after it was cleared by the state department but got no satisfactory explanation."

#### Work of Professor

Mott is responsible for publication of the Jag Journal, which specializes in articles by both civilian and military legal experts on questions of international law. He had never encountered censorship difficulties until four articles of the 1961 issue were rejected last April.

One of the articles, entitled "Some Legal Implications of the U-2 and RB-47 Incidents," was the work of Prof. Oliver J. Lissitzyn of Columbia university, described by Mott as an outstanding American expert on international law.

The main theme of this article was that failure of the United States to protest against the Russian trial of Francis G. Powers, the U-2 pilot, suggested recognition that Russia's sovereignty extended upward to 40,000 feet, the altitude of the

#### "No Legal Definition"

The article noted that there is no legal definition of the upward limit of national sovereignty. Space vehicles of both the United States and Russia have passed over Russian and American territory without objection.

Of the other three articles, two were censored by the state department and one cleared. The defense department's Sylvester's order rejected all four. The entire issue of the military journal was suspended as a result.

Citing the need for professional military journals, Mott said:

"If you attempt to control what people write, you are apt to kill off free discussion of professional topics. When word gets around in the academic field that articles are to be submitted to rigid censorship, men of high standing won't contribute to military journals."

#### Invited to Comment

The subcommittee made public a statement from Air Force Gen. Nathan F. Twining [ret.], former chairman of the joint chiefs of staff, who had been invited to comment on the censorship problem.

Twining said no reasonable military man objected to review of his speeches but he criticized any system which demanded that officers "be more or less walled off from public intercourse."

"It is one thing for the reviewing authority to shut off an officer on a straightforward ruling that he is outside the established bounds," Twining said.

#### "May Be Expanded"

"It is something else for the same authority, out of bias or timidity or expediency to close off officers from a discussion of military and foreign policy issues merely on the arbitrary ruling that the issues are or may be controversial."

"What really bothers me about this whole right-to-speak question is that the proper suppression of wrong actions may be expanded to justify the wrongful suppression of good merely because they may be inconvenient or challenging."

Sen. Strom Thurmond (D-S.C.), who prompted the censored quiz, placed in the Congressional Record a volume of censored anti-communist items approximately 170 mil-

tary speeches. He said this was necessary to acquaint both Congress and the public with the evidence produced by the subcommittee.